

REMARKS

This application, as amended herein, contains claims 1, 4, 8, 10, 13. Claims 18 and 20 were previously canceled, and claims 2, 3, 5-7, 9, 11, 12 and 14-17 are canceled herein.

Claims 1-3 were rejected under 35 U.S.C. 112, second paragraph, and under 35 U.S.C. 101. By amendment herein, claim 1 now recites "first apparatus for establishing, on a server at a financial institution,". This is clearly hardware. Further, it is respectfully pointed out that the first apparatus, and the remaining three recited in claim 1, are not merely software. If not explicitly stated, it is still clear that a combination of hardware and software would be needed for implementation. With the amendment mentioned above, and in view of the reasons stated, it is respectfully submitted that claims 1-3 are now definite within the meaning of 35 U.S.C. 112, second paragraph, and are directed to statutory subject matter under 35 U.S.C. 101.

Claims 1, 3, 8, 10-15 and 18 were rejected as being obvious over newly cited U.S. Patent Publication No. 2003/0097331 to Cohen in view of Abecassis. Claim 2 was rejected as obvious over Cohen in view of Abecassis and further in view of Lai. Claims 4-6 were rejected as obvious over Chang in view of Abecassis, in view of Cohen. Claim 7 was rejected as obvious over Chang in view of Abecassis in view of Cohen and further in view of Lai. Claim 9 was rejected as obvious over Cohen in view of Chang and further in view of Abecassis. Finally, claims 16-17 were rejected as obvious over Abecassis in view of Cohen.

These rejections are all respectfully traversed for the reasons set forth below.

Claim 1 has been amended herein to recite:

third apparatus for providing a first lock for said temporary account to limit access by said vendor, said first lock using a first key which is held by a financial institution, and which only the purchaser can access; and

fourth apparatus for providing a verification by said vendor, via said network, which verifies the contents of said temporary account and that uses a second key which is held by the financial institution and which only the vendor can access and which locks said temporary account with a second lock to limit access by said purchaser;...

Support for this amendment may be found in the specification, at least at page 6, lines 4-10, and in original claim 4.

Claim 1 has also been amended to include the recitations of canceled claims 2 and 3. It is submitted that the combination of elements set forth in claim 1, as amended herein, is not taught or suggested by the art of record.

The amendment to claim 1 highlights yet another security feature of Applicant's invention. Specifically,

the keys for the first lock and the second lock are kept at the same financial institution. While activation of these keys is controlled by only the purchaser and the vendor, respectively, the keys themselves are not publicly available, but are both private in nature. This adds yet another dimension of security to the system of claim 1.

In addition, Claim 1 further includes the recitations of canceled claims 2 and 3. Thus, the system of claim 1 provides completely secure Internet based transactions, without the need to use any public key. There is no teaching or suggestion in the art of record of the system of claim 1. Thus, it is submitted that claim 1 is directed to patentable subject matter.

Claim 4 now includes the recitations of canceled claim 5, 6 and 7, and is thus directed to a complete and secure method for conducting Internet commerce. Again, the keys for the first lock and the second lock are kept at the same financial institution. While activation of these keys is controlled by only the purchaser and the vendor, respectively, the keys themselves are not publicly available, but are both private in nature.

The method of claim 4 provides completely secure Internet based transactions, without the need to use any public key. There is no teaching or suggestion in the art of record of the method of claim 4. Thus, it is submitted that claim 4 is directed to patentable subject matter.

Method claim 8 is similar to claim 4 in that it specifies a first key and a second key held by a financial institution. However, claim 8 also specifies that the temporary account is automatically erased after the money has been moved. This adds yet another level of security. Further, claim 8 includes the recitations of canceled claim 9, and thus specifies a beginning to end Internet commerce method. Thus, for the reasons set forth above for claims 1 and 4, and for the specific reasons noted herein, it is submitted that claim 8 is also directed to patentable subject matter.

Claim 10 has been amended to include the recitations of canceled claims 11 and 12. This combination of recitations is directed to a complete, and secure server for Internet commerce. It is respectfully submitted that the combination of elements of claim 10 is not suggested by the art of record.


Claim 13 is also directed to a server, but has been amended in a manner analogous to independent claim 1 to recite that the keys for the first lock and the second lock are kept at the same financial institution. While activation of these keys is controlled by the only the purchaser and the vendor, respectively, the keys themselves are not publicly available, but are both private in nature. This adds yet another dimension of security to the server of claim 13.

Claim 13 also includes the recitations of canceled claims 14 and 15, and thus is directed to a server which

supports complete and secure, beginning to end Internet commerce. It is respectfully submitted that non of the art of record, whether taken alone or in combination, teaches or suggests the server of claim 13, and that claim 13 is directed to patentable subject matter.

Allowance of this application is respectfully requested. A check in the amount of \$1,110 for the required three-month extension of time is enclosed.

Respectfully submitted,



David Aker, Reg. No. 29,277
23 Southern Road
Hartsdale, NY 10530
Tel. No. 914 674-1094
Mobile 914 426-1775

3/30/2009
Date

Fax No. 914 479-5304